

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Jesse Lamond Jones,

Defendant.

Criminal No. 10-336 (JNE)  
Civil No. 14-448 (JNE)  
ORDER

A jury found Defendant guilty of being a felon in possession of a firearm. The Court sentenced him to 300 months' imprisonment. Defendant appealed, and the United States Court of Appeals for the Eighth Circuit affirmed. *United States v. Jones*, 485 F. App'x 848 (8th Cir. 2012). Defendant filed a motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255. The Court denied the motion. More than nine months later, Defendant filed a motion under Fed. R. Civ. P. 60(b)(6).

Although he relied on Rule 60(b)(6), Defendant has actually attempted to file a second motion under § 2255 without authorization from the Eighth Circuit. *See United States v. Lambros*, 404 F.3d 1034, 1036 (8th Cir. 2005) (per curiam); *United States v. Matlock*, 107 F. App'x 697, 698 (8th Cir. 2004) (per curiam). "It is well-established that inmates may not bypass the authorization requirement of 28 U.S.C. § 2244(b)(3) for filing a second or successive § 2254 or § 2255 action by purporting to invoke some other procedure." *Lambros*, 404 F.3d at 1036. Accordingly, the Court denies the motion. *See id.* at 1036-37. The Court declines to issue a certificate of appealability. *See id.*

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Defendant's "motion pursuant to 60(b)(6)-(due to defect in the integrity of federal proceeding)" [Docket No. 139] is DENIED.
2. A certificate of appealability is DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 27, 2015

s/Joan N. Erickson  
JOAN N. ERICKSEN  
United States District Judge